

**IN THE CLAIMS**

This listing of claims replaces all prior listings:

1. (Currently Amended) A battery, comprising:

a spirally wound body including a spirally wound laminate of a cathode and an anode with an electrolyte in between,

wherein,

the anode includes ~~[[;]]~~ (a) an anode current collector having a pair of facing surfaces~~[[;]]~~,

~~(b)~~ an outer anode active material layer disposed on an outer winding surface of the anode current collector~~[[;]]~~, and ~~(c)~~ an inner anode active material layer disposed on an inner winding surface of the anode current collector,

the outer anode active material layer and the inner anode active material layer both include at least one kind selected from ~~the a~~ group consisting of metal elements and metalloid elements both capable of alloying with lithium and compounds thereof, ~~and~~

~~as a capacity ratio between the outer anode active material layer and the inner anode active material layer in at least a one region, assuming that the capacity of the outer anode active material layer is 1, the capacity of the inner anode active material layer facing the outer anode active material layer with anode current collector in between is within a range of 0.6 to 0.8 inclusive~~~~[[;]]~~

~~a sectional surface of the spirally wound body has one of an elliptical shape and a shape including a straight line and a curved line, and a ratio of a longest diameter to a shortest diameter of the sectional surface of the spirally wound body with respect to the center of the spirally wound body is within a range of 1 to 3 inclusive.~~

2. (Original) A battery according to claim 1, wherein the outer anode active material layer and the inner anode active material layer both include at least one kind selected from the group consisting of silicon (Si), tin (Sn) and compounds thereof.

3. (Original) A battery according to claim 1, wherein the outer anode active material layer and the inner anode active material layer are alloyed with the anode current collector in at least a portion of an interface with the anode current collector.

4. (Original) A battery according to claim 1, wherein the outer anode active material layer and the inner anode active material layer are formed on the anode current collector through at least one method selected from the group consisting of a vapor-phase deposition method, a liquid-phase deposition method and a sintering method.

5. (Cancelled)